

### **REMARKS**

The Office Action of June 6, 2006 has been carefully reviewed and these remarks are responsive thereto. Claims 1-33 are pending. Claims 1, 10-12, 14, 18, 22 and 25-28 have been amended in this response. No new matter has been added.

#### **Claim Rejections Under 35 USC §112**

Claims 14 and 25-28 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In claim 14, “ridges” was deleted and replaced with “ridge” to match the singular form of the term as it appears in claim 1, from which claim 14 depends. In claims 25 and 26, “each” was deleted and replaced with “mop head element and the scrubber” to clarify the elements to which the claim was making reference. In claim 27, “face” was added after “mop attachment” to clarify that the brush face and the mop attachment face intersect at about a 90 degree angle, as can be seen in FIG. 1. In claim 28, “said faces” was changed to “said mounting face, said brush face” to identify the two specific scrubber element faces introduced in claim 22, to which claim 28 refers. Applicant respectfully requests withdrawal of the 35 U.S.C. 112 ground for rejection.

#### **Obviousness-Type Double Patenting Rejections**

Claims 1-33 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 6,892,415 in view of Scholl, U.S. Patent No. 3,088,165 (“Scholl”). The Applicant is filing a terminal disclaimer with respect to the commonly owned cited patent, U.S. Patent No. 6,892,415, along with this response to overcome the obviousness-type double patenting rejections. Reconsideration and withdrawal of the rejection is requested.

#### **Claim Rejections Under 35 USC §102**

Claims 1, 3, 4, 7, 14-16, 18 and 21 are rejected under 35 USC §102(b) as being anticipated by Laux, et al., U.S. Patent No. 6,336,240 (“Laux”). Amended claim 1 relates to a mop having a mounting head that is connected to the handle, the mounting head having a bottom face and a mounting face, where the bottom face and the mounting face are disposed at an acute

angle with respect to each other. The amendments to claim 1 clarify the structure of the mounting head, which has a bottom face and a mounting face "disposed at an acute angle with respect to each other." Claims 10-12 were amended to reflect the antecedent basis of the elements of amended claim 1. Similarly, amended claim 18 clarifies that the mounting head has a bottom face and a mounting face "disposed at approximately a 45° angle with respect to each other." The clarifications are supported at least by the claims as originally filed and paragraph [26]. Laux does not disclose a mounting head with bottom and mounting faces disposed at an acute angle with respect to one another. Instead, Laux merely discloses a mop head having a top side, an opposing bottom side with a removably mounted sponge member, an opposing front edge with a removably mounted auxiliary member, and an opposing rear edge (col. 2, lns 44-46, 49-50 and col. 3, lns. 35-36). Laux is silent in both the text and the Figures regarding providing a mounting head that has bottom and mounting faces disposed at anything other than substantially right angles with respect to each other. Thus Laux cannot anticipate independent claims 1, 18, or claims 3, 4, 7, 14-16 and 21, which depend from either claim 1 or 18. Consequently, the Applicant respectfully requests withdrawal of the ground for rejection.

### **Claim Rejections Under 35 USC §103**

Claims 2, 5 and 19-20 are rejected under 35 USC §103(a) as being unpatentable over Laux. Claims 2, 5 and 19-20 are dependent on currently amended independent claims 1 and 18. For at least the same reasons that claims 1 and 18 are patentable over Laux, as set forth above, so are claims 2, 5 and 19-20. Moreover, not only does Laux not teach a mounting head with faces disposed at an acute angle with respect to each other, as discussed above, but Laux also does not suggest or provide motivation to do so that would render the mop as claimed in claims 1 and 18 obvious. The additional limitations in the dependent claims do not rectify the deficiencies of Laux with respect to claims 1 and 18. Therefore, reconsideration of the rejection is requested.

Claims 6 and 17 are rejected under 35 USC §103(a) as being unpatentable over Laux in view of Courtney, U.S. Patent No. 5,896,613. Claims 6 and 17 depend from claim 1. For at least the same reasons that claim 1 is patentable over Laux, as set forth above, so are claims 6 and 17. The additional limitation of the walls engaging a single aperture does not render obvious the elements of claim 1, in particular the mop head with faces "disposed at an acute angle with

respect to each other”, not taught by Laux. Consequently, the Applicant respectfully requests withdrawal of the ground for rejection.

Claims 1, 8-13, 18-21 and 22-32 are rejected under 35 USC 103(a) as being unpatentable over DE 3,834,301 (“the ‘301 patent”) in view of Scholl. Amended independent claim 22 clarifies that the scrubber has a uniform triangular cross-sectional profile. In contrast, the scrubber shown in the ‘301 patent in FIGS. 3, 4, 5, 8 and 11 includes a slightly concave, yet generally planar, body attached to a slightly convex surface of the mop holding element with the use of a screw. The scrubber disclosed in FIG. 8 has a generally wedge-like shape with a somewhat convex surface in communication with a correspondingly somewhat concave surface of the mop holding element receiving chamber.

Independent claim 18 has been amended to clarify the shape of the mounting head as having two faces “disposed at approximately a 45° angle with respect to each other” and independent claim 1 has been amended to clarify the shape of the mounting head as having two faces disposed at an acute angle with respect to each other. Although the ‘301 patent teaches a variety of orientations of cleaning tools relative to each other and the mop handle, none disclose a mop head with a mounting face at an acute angle from a bottom face or the triangular-shaped scrubber that may be used to effectively implement the mop head configuration. The ‘301 patent teaches a mop holding element that is substantially different in shape and manner of function to the mounting head of the instant application, including two receiving chambers to hold attachments and at most, one mounting face. Neither the ‘301 patent nor Scholl provide motivation to attach a mop element and a triangular-shaped scrubber to a mounting head. Dependent claims 8-13 and 19-32 are not made obvious for at least the reasons claims 1, 18 and 22, from which they depend, are not obvious over the ‘301 patent and Scholl. Consequently, the Applicant respectfully requests withdrawal of the ground for rejection.

Claim 33 is rejected under 35 USC §103(a) as being unpatentable over the prior art as applied to claim 22 above, and further in view of Gantz, U.S. Patent No. 2,730,741 (“Gantz”). For at least the same reasons that claim 22 is patentable over the ‘301 patent in view of Scholl, as set forth above, so is claim 33. The addition of Gantz for a wringer plate on the mop head does not overcome the deficiencies of the ‘301 patent and Scholl with respect to independent claim 22, as discussed in the previous paragraph.

**CONCLUSION**

All of the objections and rejections have been addressed. Reconsideration and allowance of the pending claims are respectfully requested.

The Commissioner is authorized to debit or credit our Deposit Account No. 19-0733 for any fees due in connection with the filing of this response.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

Date: November 6, 2006

By: /Rebecca P. Rokos/  
Rebecca P. Rokos  
Registration No. 42,109  
BANNER & WITCOFF, LTD.  
10 South Wacker Drive, Suite 3000  
Chicago, IL 60606  
Telephone: 312-463-5000  
Facsimile: 312-463-5001